

SUPREME COURT OF ARIZONA

In the Matter of ) Arizona Supreme Court  
 ) No. R-15-0005  
RULE 7.5, RULES OF )  
CRIMINAL PROCEDURE )  
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 ) **FILED 08/27/2015**

ORDER  
AMENDING RULE 7.5,  
ARIZONA RULES OF CRIMINAL PROCEDURE

A petition having been filed proposing to amend Rule 7.5 of the Arizona Rules of Criminal Procedure, and comments having been received, upon consideration,

IT IS ORDERED that Rule 7.5 of the Arizona Rules of Criminal Procedure be amended in accordance with the attachment to this Order, effective January 1, 2016.

DATED this 27th day of August, 2015.

SCOTT BALES  
Chief Justice

TO:

David K Byers

John A Furlong

David J Euchner

Rule 28 Distribution List

## ATTACHMENT<sup>1</sup>

### ARIZONA RULES OF CRIMINAL PROCEDURE

#### Rule 7.5. Review of conditions; revocation of release

**a. Issuance of warrant or summons on prosecutor petition.** Upon verified petition by the prosecutor stating facts or circumstances constituting a breach of the conditions of release, the court having jurisdiction over the defendant released may issue a warrant or summons under Rule 3.2, to secure the defendant's presence in court or issue a notice scheduling a hearing to consider the matters raised in the petition. A copy of the petition shall be served with the warrant, ~~or~~ summons or notice.

**b. Issuance of warrant or summons on written report.** Upon receiving a written report from pretrial services stating facts or circumstances constituting a breach of the conditions of release, the court having jurisdiction over the defendant may issue a warrant or summons under Rule 3.2, to secure the defendant's presence in court or issue a notice scheduling a hearing to consider the matters raised in the report. A copy of the report shall be provided to the prosecutor and served with the warrant, summons or notice.

**bc. Victim's right to petition for revocation of bond or modification of conditions of release.** [No change in text.]

**ed. Hearing; review of conditions; revocation.**

(1) *Modification of conditions of release.* If, after a hearing on the matters set forth in the petition or report, the court finds that the person released has willfully violated the conditions of release, the court may impose different or additional conditions upon his or her release. However, if the defendant has violated the conditions of an appearance bond executed as a condition of release, the court shall determine conditions reasonably necessary to secure that person's appearance in the future. If the violation is not excused, the court shall not impose less restrictive conditions of release. If the court determines that an increase in the amount of a secured appearance bond is necessary, that security shall be in addition to any previously existing security.

(2) *Revocation of release.* [No change in text.]

**de. Revocation of Release; DNA Testing.** [No change in text.]

**ef. Revocation of release; Ten-print fingerprinting.** [No change in text.]

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<sup>1</sup> Changes or additions in rule text are indicated by underscoring and deletions from text are indicated by ~~strike-through~~.